

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 5910 OF 2015

Shrikant Bhimraoji Gawande and others

-vs-

Assistant Registrar Cooperative Societies and Returning Officer, Dhamangaon and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Anjan De, counsel for the petitioners.
Mr. N.R. Rode, AGP for the respondent No.3.

CORAM : SMT. VASANTI A. NAIK &
Z. A. HAQ, JJ.

DATE : 23.10.2015.

By this petition, the petitioners seek a direction to the respondents to hold the meeting for election to the posts of Chairman and Vice Chairman of the Agricultural Produce Marketing Committee, Dhamangaon (Railway) subject to the result of the election petitions, for disqualification of certain members on the Committee of Agricultural Produce Marketing Committee.

The elections to the Agricultural Produce Marketing Committee, Dhamangaon (Railway) were concluded and eighteen persons were elected as members on the committee. According to the petitioners, three election petitions are filed by the petitioners' group and if the election petitions are allowed, the election of the Chairman and the Vice Chairman of Agricultural Produce Marketing Committee, Dhamangaon (Railway) would affect them, as there are ten committee members of one side and eight committee members including the petitioners are on the other. It is stated that the result of the election of the Chairman and the Vice Chairman should be made subject to the result of the election petitions.

We are afraid, the relief sought by the petitioners cannot be granted, in exercise of the extra ordinary writ jurisdiction. The submission made on behalf of the petitioners that since the petitioners are remediless, as the Act and Rules do not provide that the election of the Chairman and the Vice Chairman to be contingent to the result of the election petitions and, therefore, the relief sought by the petitioners is required to be granted, is not well founded and is therefore rejected.

In the circumstances, the writ petition is dismissed with no order as to costs.

JUDGE

JUDGE